

1 MICHAEL A. JACOBS (CA SBN 111664)
2 MJacobs@mofo.com
3 ARTURO J. GONZÁLEZ (CA SBN 121490)
4 AGonzalez@mofo.com
5 MORRISON & FOERSTER LLP
6 425 Market Street
7 San Francisco, California 94105-2482
8 Telephone: 415.268.7000
9 Facsimile: 415.268.7522

10 KAREN L. DUNN (*Pro Hac Vice*)
11 kdunn@bsfllp.com
12 HAMISH P.M. HUME (*Pro Hac Vice*)
13 hhume@bsfllp.com
14 BOIES SCHILLER FLEXNER LLP
15 1401 New York Avenue, N.W.
16 Washington DC 20005
17 Telephone: 202.237.2727
18 Facsimile: 202.237.6131

19 WILLIAM CARMODY (*Pro Hac Vice*)
20 bcarmody@susmangodfrey.com
21 SHAWN RABIN (*Pro Hac Vice*)
22 srabin@SusmanGodfrey.com
23 SUSMAN GODFREY LLP
24 1301 Avenue of the Americas, 32nd Floor
25 New York, NY 10019-6023
26 Telephone: 212.336.8330
27 Facsimile: 212.336.8340

28 Attorneys for Defendants
1 UBER TECHNOLOGIES, INC.
2 and OTTOMOTTO LLC

3 UNITED STATES DISTRICT COURT
4
5 NORTHERN DISTRICT OF CALIFORNIA
6
7 SAN FRANCISCO DIVISION

8 WAYMO LLC,

9 Case No. 3:17-cv-00939-WHA

10 Plaintiff,

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
**DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO LLC'S
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL THE
DECLARATION OF ARTURO J.
GONZÁLEZ IN RESPONSE TO
DECLARATION OF JEFF
NARDINELLI AND EXHIBITS
THERETO**

10 v.
11 UBER TECHNOLOGIES, INC.,
12 OTTOMOTTO LLC; OTTO TRUCKING LLC,
13
14 Defendants.

1 Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and
 2 Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal the Declaration
 3 of Arturo J. González in Response to Declaration of Jeff Nardinelli and Exhibits Thereto.
 4 Specifically, Defendants request an order granting leave to file under seal the confidential
 5 portions of the following documents:

Document	Portions to Be Filed Under Seal	Designating Party
Declaration of Arturo J. Gonzalez in Response to Declaration of Jeff Nardinelli (“Response Declaration”)	Highlighted Portions	Waymo Non-party Anthony Levandowski (yellow)
Exhibit 3	Entirety	Waymo
Exhibit 4	Highlighted Portions	Waymo
Exhibit 5	Entirety	Waymo
Exhibit 8	Highlighted Portions	Waymo (Green)

16 The yellow-highlighted portions of the Response Declaration contain information
 17 designated confidential by counsel for non-party Anthony Levandowski. (Declaration of
 18 Michelle Yang in Support of Defendants’ Administrative Motion to File Documents Under Seal
 19 (“Yang Decl.”) ¶ 3.) Defendants expect this non-party to file a supporting declaration as needed.

20 The green-highlighted portions of the Response Declaration and Exhibits 4 and 8, as well
 21 as the entireties of Exhibits 3 and 5, contain information that has been designated “Highly
 22 Confidential – Attorneys’ Eyes Only” by Waymo in accordance with the Patent Local Rule 2-2
 23 Interim Model Protective Order (“Protective Order”), which the parties have agreed governs this
 24 case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this material under seal in
 25 accordance with Paragraph 14.4 of the Protective Order. (Yang Decl. ¶ 4.)

26 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the
 27 documents at issue, with accompanying chamber copies.

1 Defendants served Waymo with this Administrative Motion to File Documents Under
2 Seal on September 18, 2017.

3 For the foregoing reasons, Defendants request that the Court enter the accompanying
4 Proposed Order granting Defendants' Administrative Motion to File Documents Under Seal and
5 designate the service copies of these documents as "HIGHLY CONFIDENTIAL –
6 ATTORNEYS' EYES ONLY."

7 Dated: September 18, 2017

MORRISON & FOERSTER LLP

8
9 By: /s/ Arturo J. González
ARTURO J. GONZÁLEZ

10
11 Attorneys for Defendants
UBER TECHNOLOGIES, INC. and
OTTOMOTTO LLC

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28